



## **Regional market integration between the wholesale electricity markets of The Netherlands, Belgium and France**

*A consultation document prepared by DTe, CREG and CRE*

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# 1 Introduction

## 1.1 The background

The management of the electricity network in continental Europe is characterized by a great heterogeneity which expresses itself in several respects:

- In terms of capacity calculation methods,
- In terms of congestion management methods (market/administrative methods, timeframes, closing times, products),
- In terms of regulatory monitoring,
- In terms of transparency and possibility of access to the respective market, and
- In terms of balancing mechanisms.

This important lack of coordination, in a very highly meshed network, leads to an inefficient use of the available capacities. It constitutes a severe impediment to the efficient development of electricity trade and requires some significant improvements in order to comply with EC regulations.<sup>1</sup> Efficient cross border trade is key to the establishment of an integrated wholesale electricity market. The markets are already interconnected but usage of the interconnectors must be the result of efficient trade. Market prices do not necessarily have to converge. Congestion of interconnections will and may happen which means that price differences can be understandable. Also structural differences in the composition of the generation system (like the presence of nuclear power) are likely to remain. However, harmonisation of system and market rules is necessary to avoid price distortions.

DTe, CREG and CRE<sup>2</sup> agree that regional market integration of the Dutch, Belgian and French wholesale electricity markets<sup>3</sup> may involve:

- Improved cooperation between the Transmission System Operators (TSO)'s in the field of calculation, optimisation and allocation of cross-border capacities with the aim to make the maximum capacity available to the market within system security conditions.
- Improvement and harmonization of the existing allocation mechanisms on the continental European network through the implementation of a coordinated explicit auction mechanism with consistently designed long and medium term allocation procedures and taking into account the real characteristics of the network.
- Introduction of cross border trade in the intra day domain and for balancing purposes.
- Launching of the Belgian power exchange (BELPEX).
- Implementation of a coordinated “day-ahead market coupling mechanism” (DAMC) for the day-ahead time frame between POWERNEXT, BELPEX and APX.
- Introduction of cross border trade in the intra day domain and for balancing purposes.
- Harmonisation of system access and market rules, including market transparency requirements.
- Improved cooperation between regulators to allow for effective and harmonised regulatory control within the three countries including effective market monitoring of the integrated market and implementation of market power mitigation measures.

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<sup>1</sup> N° 1228/2003 of 26th June 2003, directive 2003/54/EC concerning common rules for the internal market in electricity.

<sup>2</sup> Hereafter, the term “three regulators” is intermittently used, and refers to DTe, CREG and CRE, unless otherwise indicated.

<sup>3</sup> Hereafter, the term “three markets” is intermittently used, and refers to the Dutch, Belgian and/or French wholesale electricity markets.

## **1.2 The objective of the consultation**

In order to effectively and promptly improve the current situation, the three regulators DTe, CREG and CRE have agreed to perform a joint consultation process. The objective of this consultation is:

1. A joint synthesis of contributions from stakeholders to regional market integration of electricity markets in The Netherlands, Belgium and France.
2. A common “Roadmap” for integration of the three markets. This Roadmap will define what steps should be taken at the short term and longer term and provides the planning for the implementation of these steps. This common Roadmap will be used by each of the regulators to support regional market integration initiatives and to safeguard a harmonised approach in the three countries.

This consultation document allows market parties to give their opinion on these important issues. It is of paramount importance that market parties express their viewpoints so that the three regulators can define a common approach. It is hoped that a consensus will emerge from this consultation and will help the three regulators to decide on the best way to answer these questions.

The DTe, CREG and CRE, therefore, invite all market parties to send in their answers, observations, commentaries or recommendations based on all -or even part of- the questions detailed below.

## **1.3 Status of the document**

Please note that all opinions and analyses expressed in this consultation document by the three regulators are preliminary in nature. All opinions and analyses are subject to change, based on (for example) input from market parties to this consultation document. Therefore, the contents of this consultation document shall not be binding nor shall they be construed as constituting any obligation on the part of DTe, CREG and/or CRE. This also applies to input from market parties that concerns only the (national) jurisdiction of and/or is directed solely to one of the regulators.

## 2 Long term and medium term explicit auction mechanisms

### 2.1 Introduction

On the Belgian-Dutch border, capacities are auctioned on yearly, monthly and daily basis by TSO-Auction. On the border between France and Belgium, capacities are allocated by the TSO's through a priority list on a monthly and daily basis. There is no capacity allocated on a yearly basis on this border.

The integration of the French, Belgian and Dutch power markets implies a close examination of the congestion management methods on the interconnections between France and Belgium and between Belgium and The Netherlands. Therefore, the following questions concern at least those two interconnections. However, some questions, related e.g. to the quantities to be allocated, to the conditions of a reduction of the allocated capacities and to the coordination of the timing may also concern (and have an incidence on) other borders where the available capacities are highly correlated such as the French-UK, French-German and Dutch-German interconnections.

### 2.2 Questions for consultation

Please specify for the French-Belgian border and/or the Belgian-Dutch border:

1. What is your preference for the selection of the time frames for the explicit auction mechanism (annual, quarterly, monthly, weekly and day-ahead)?
2. The allocation of the available capacities on different time frames can be based on the following principles:
  - a. A maximum of capacity is allocated on a longer term basis, and the remaining capacities are allocated on shorter time frames.
  - b. A predefined ratio (%) is chosen for the different time frames.
  - c. A minimum of capacity is foreseen for specific time frames.

Which of the principles mentioned above (or a mix of them) do you recommend for the allocation of the available capacity on different time frames?

3. What type of price-setting mechanism (marginal price, pay-as-bid, ascending, etc.) do you recommend for long and medium term products (e.g. yearly, monthly) and why?
4. Is it necessary to limit the interconnector capacity<sup>4</sup> (volume cap for import and/or export capacity) that can be given to a market party<sup>5</sup> and if necessary, which value should be imposed for the different time frames?
5. To what extent do you recommend the allocation of yearly and /or monthly capacities in a single round or in two or more different sessions per year and why?
6. Do you consider it to be important, in order to prevent strategic capacity withholding, to limit *ex ante* the possibilities for a market party to nominate energy in both directions? If so, which propositions would you recommend?
7. Alternatively, do you consider that an *ex post* market monitoring could be sufficient to prevent this type of anti-competitive behaviour?

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<sup>4</sup> Please note that the Dutch wholesale electricity market currently has an import cap of 400 MW per market party.

<sup>5</sup> Bearing in mind the possible affiliation of particular market parties to another market party.

8. Do you consider it to be important to create a secondary market for transfer of cross-border transmission capacity rights? If so, what form of transfer of capacity rights should be allowed:
  - a. A free transfer of capacity rights through a bilateral secondary market with final reconciliation by the TSO?
  - b. An organized transfer of capacity rights through a centralized re-allocation under the TSO's responsibility in the subsequent explicit auctions time frames?
9. What type of commitment should the TSO's provide with respect to the allocated capacities/nominated programs?
  - a. Firm and definitive in both cases, except in case of "force majeure"?<sup>6</sup>
  - b. Reductions of capacity and /or nominated programs are possible under a very strict regulation with respect to the duration of the reduction, the compensation mechanism for any reduction, etc.?<sup>7</sup>
  - c. No firmness at all?<sup>8</sup>
  - d. A mixture of cases a, b and/or c? Please explain your commitment preferences.
10. In the case of questions 9b and 9c, where a reduction of the available interconnection capacity/nominated programs is possible, what would be your preferred reduction rule (mainly when the reduction is known after the short term allocation):
  - a. To reduce firstly the long term assignments?
  - b. To reduce firstly the short term assignments?
  - c. To reduce proportionally both long and short term assignments?
11. Do you recommend an obligatory use (a constant strip for the whole duration of the product) of long and medium term products?
12. To what extent do you consider it of importance to oblige the market parties to firmly nominate their long and medium term capacity rights sufficiently in advance before day-ahead allocation<sup>9</sup>, and why?
13. Under the condition that day-ahead explicit auction is implemented, to what extent do you consider the firm nomination of these day-ahead capacity rights to the TSO sufficiently before the intraday sessions as an effective way to counter strategic capacity withholding, and why?<sup>10</sup>
14. What level of harmonisation (auction rules, gate closure time, etc.) do you recommend for the organisation of explicit capacity auction for long, medium and short term time frames on the two borders? Please specify what aspects require harmonisation.
15. The determination of cross-border capacities foreseen for yearly and monthly allocation is not always coordinated across borders. Which importance do you give to the implementation of a more coordinated capacity calculation method?
16. Regarding the above questions (1 to 15), to what extent do your answers apply to the other borders (the French-UK, French-German and Dutch-German interconnections) as well?

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<sup>6</sup> It is supposed that with this level of firmness, the financial risk to market parties will be reduced to its minimum level in the event of a physical reduction of the interconnection capacity,

<sup>7</sup> It is supposed that with this level of firmness, the financial risk will be shared between the TSO and market parties in the event of a physical reduction of the interconnection capacity

<sup>8</sup> It is supposed that with this level of firmness, market parties accept all the financial risks in the event of a physical reduction of the interconnection capacity.

<sup>9</sup> To allow the application of the so-called "use it or use it" principle.

<sup>10</sup> Alternatively, on the Dutch wholesale electricity market, day-ahead capacity rights holders are obliged to trade cross-border capacity through the APX for import capacity into the Netherlands.

## 3 Assessment of the day-ahead market coupling

### 3.1 Introduction

The day-ahead market coupling (DAMC) is a cross-border congestion management whose main characteristic is to integrate the transmission market (allocation of cross-border capacity rights) and the electricity market in day-ahead. More specifically, the DAMC consists for the TSO in delegating to the power exchanges the day-ahead cross-border congestion management through the following procedure:

- the TSO's firmly allocate the available daily cross-border capacity to the power exchanges;
- the power exchanges calculate and compare their respective (quantity-price) equilibrium under the assumption that no cross-border capacity is available;
- then, considering the available cross-border capacity, the power exchanges put together their respective book orders and realize all the profitable cross-border exchanges up to:
  - the saturation of the cross-border capacity or,
  - the disappearance of any price differential between the interconnected markets.

The advantages of a DAMC mechanism are still debatable, similar to existing day-ahead explicit auctions implemented in several countries. The benefits of integrating the regional transmission (allocation of capacity rights) and electricity markets in day-ahead have to be clearly established.

The three regulators hope that the market parties' answers to the questions below will help them to decide the best suited congestion management method for the day-ahead interconnection capacity between the Dutch-Belgian and the French-Belgian borders. In this area, there are currently two market coupling projects:

- The so-called "*BELPEX*" project conjointly supported by the TSO and power exchanges of the Dutch, Belgian and French markets. This project consists in the simultaneous implementation of:
  - a Belgian Power Exchange (BELPEX) and,
  - a coordinated trilateral DAMC between APX, BELPEX and POWERNEXT;
- The market coupling project between APX and Nord Pool to allocate the whole capacity of the future "NorNed cable" (700 MW) for 1 January 2008.<sup>11</sup>

### 3.2 Questions for consultation

17. Which market-based congestion management method do you prefer to manage the day-ahead cross-border congestion on the French-Belgian and Belgian-Dutch borders;
  - a. A trilateral DAMC mechanism between the three power exchanges, APX, BELPEX and POWERNEXT?
  - b. A day-ahead explicit auctions between the three TSO's, TENNET, ELIA and RTE, or
  - c. A mixture of the above? Please specify.
18. Could you give your opinion on the pros and cons of the congestion methods mentioned in question 17, particularly in terms of flexibility, simplicity, market power mitigation, risk management, implementation costs, netting of capacities, liquidity, etc.?

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<sup>11</sup> This measure has already been approved by DTe and NVE, the Norwegian regulatory authority.

19. In the case of an implementation of the DAMC, give your opinion about the cross-border capacity that should be allocated to the DAMC process:
  - a. The potentially volatile remaining capacity (after the allocation of long and medium term explicit auctions and the release of capacity by the market parties, pursuant the article 6.4 of the regulation)?
  - b. A predetermined fixed minimum capacity? If so, which one?
  - c. The potentially volatile remaining capacity plus a predetermined fixed minimum capacity?
  - d. All the capacity?
20. Do you think that the launching of the Belgian Power Exchange could be realised without simultaneous implementation of the DAMC?
21. What harmonization issues between the existing Power Exchanges do you see as important for implementing the DAMC (block bids' definition and treatment, price settlement, time frames, etc.)? For each of these issues, could you precise what is your preference?<sup>12</sup>

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<sup>12</sup> Also taking into consideration that harmonisation with Nordpool is necessary with the implementation of DAMC over the NorNed cable.



## 4 Cross-border intraday trade

### 4.1 Introduction

Intraday trade is defined as the commercial trade between market parties that takes place in the time horizon after day-ahead trading. Intraday trade within each of the three national markets is currently possible through bilateral contracts, but still not possible between the three markets. Some other European borders do have the possibility of cross-border intraday trade (like for the French-German, French-Swiss and French-Spanish borders) or combinations between centralised intraday trade and cross-border intraday trade (in part of the Scandinavian market).<sup>13</sup>

To the extent that intraday trade can be more efficient in enabling market parties to reduce or avoid their imbalances when the real-time is approaching, developing the possibilities for trade between the three countries at this time frame seems to be logical. The answers to the list of questions below could help the three regulators to define the best design to realise the necessary steps towards integration of these intraday markets in the three countries.

### 4.2 Questions for consultation

22. Do you wish the establishment of a cross-border intraday trade and, if so, why:
  - a. To revise its day-ahead position in case of physical disturbance (outage of a generation unit for example)?
  - b. To make some new, or not already done, price arbitrage?
  - c. For all purposes?
  - d. For other purposes?
23. Do you think cross-border intraday trade should be limited to one of the above particular purposes? And, if so, why?
24. In case you agree with the establishment of cross-border intraday trade, what market and/or regulatory obstacles need to be removed before such a trade can be implemented? Please specify.
25. Do you consider it suitable to reserve an amount of the cross-border capacity to the intraday allocation mechanism, or should capacity only be made available for intraday trade that has not been previously allocated and/or used at the day ahead allocation?
26. Do you consider it useful to limit *ex ante* the possibilities of nomination in the intraday market in order to prevent potential ineffective market outcomes such as:
  - a. a market party who would nominate energy in both senses in order to withhold capacity ~~or~~ or
  - b. a market party who would shift its imbalances into the neighbouring market in order to benefit from differences in the balancing market designs or
  - c. other anti-competitive or free-riding behaviours?If so, which propositions would you recommend?
27. Alternatively, do you consider that an *ex post* market monitoring could be sufficient to prevent this type of anti-competitive or free-riding behaviour?

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<sup>13</sup> With the Elbas pro rata mechanism.

28. Do you consider it relevant that the capacity rights allocated in the intraday framework (so near the real time) correspond to obligations (rather than options) to use/nominate the equivalent energy and, if so, why?
29. How do you think this cross-border intraday trade should be implemented:
- a. By allowing market parties to realise cross-border intraday trade in the limit of the capacity rights obtained in the day-ahead explicit auction mechanism (in the case where an explicit auction is implemented in day-ahead)?
  - b. By allowing market parties to obtain specific intraday capacity rights through a specific cross-border capacity allocation method (in order to allocate the non-used or the not-already-sold capacity)?
  - c. By a combination of the two above proposed methods?
30. In the case where a specific intraday cross-border capacity allocation is implemented, which allocation method do you consider the most appropriate for organizing this intraday trade (taking into consideration the possibility of concentrating trade in single shot or continuous trade):
- a. A market coupling procedure extended to the intraday time frame?<sup>14</sup>
  - b. An explicit auction procedure?
  - c. A free pro-rata, where demanding market parties would receive an intraday capacity proportionally to their demand?
  - d. A “merchant” pro-rata with an access price based on:
    - i. the day-ahead price differential (in the case where a DAMC is implemented in day-ahead),<sup>1</sup> or;
    - ii. the day-ahead capacity price (in the case where an explicit auction is implemented in day-ahead)?
  - e. A free first-come/first-served procedure?
  - f. Another method?

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<sup>14</sup> This would require a centralised intraday trade, which is currently non-existent.

## 5 Cross-border balancing trade

### 5.1 Introduction

Balancing trade is defined as the trade between TSO's and market parties with generation or load shedding options with the aim to ensure the balance between load and generation within a control area. The TSO's are responsible to balance the system and therefore each TSO acts as a single buyer or single seller on its national market in case of surpluses or shortages on the system. The three national markets currently have different balancing markets/mechanisms. Cross-border balancing trade is currently not possible or limited to some emergency reserves that are contracted between neighbouring TSO's. The balancing markets are especially important as the well functioning of these markets can be related to security of supply, and as they give a price signal in real-time which has a considerable impact on the other markets as a whole. Since balancing markets can be more sensitive to market power (because of a limited number of active market parties), and because netting of imbalances and sharing of balancing reserves can lead to a reduction in global balancing costs, the harmonization and the integration of the national balancing markets seems to be important.

The answers to the list of questions below could help the three regulators to define the best design to realise the necessary steps towards integration of these balancing markets in the three countries.

### 5.2 Questions for consultation

31. Do you wish the establishment of cross-border balancing trade and, if so, why?
32. How do you think this cross-border balancing trade should be implemented and why:
  - a. By allowing market parties to realize cross-border balancing trade in the limit of the capacity rights obtained in the day-ahead or intraday explicit auction mechanism (in the case where an explicit auction is implemented at these time frames)?
  - b. By letting the TSO to manage the cross-border balancing trade in the limit of the available capacity (integration of balancing markets)?
  - c. By another method?
33. What do you think about the differences in market designs between the three existing balancing mechanisms and a possible need for harmonisation? Please specify.
34. To what extent do you agree that market design differences may result in arbitrage between them? If so, do you propose countermeasures? Please specify.
35. Do you consider it necessary to avoid any reservation of cross-border interconnection capacity for the balancing needs of TSO's before the end of every intraday trading session, during which market parties are the only ones to intervene?<sup>15</sup>
36. Do you consider it suitable to reserve an amount of the cross-border capacity to the balancing mechanism?

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<sup>15</sup> Bearing in mind that cross-border commercial trade should have priority over cross-border balancing trade.

## 6 Market transparency

### 6.1 Introduction

Market transparency is an important condition for well functioning markets. It allows market participants easy access to information which is necessary for efficient trading. This includes information on generation, load, markets (OTC, day-ahead, balancing), prices (OTC, power exchange and balancing market), the network (including on conditions for interconnections usage and on the capacity calculation method used). Transparency is necessary to establish a level playing field. Large market participants and incumbents cannot take advantage of having information that is not available for smaller participants. This increases market confidence and improves the investment climate for new entrants.

#### *Level of harmonization*

Harmonised transparency requirements can help mitigate specific market power issues, since competitive information will be more evenly shared among market parties (information symmetry). While information symmetry can significantly contribute to efficient competition, information asymmetry between different countries may hinder the development of efficient competition.

At present, both the overall transparency level and the specific transparent aspects vary greatly among European countries. Considering the reality of continuous market integration, these discrepancies may harm the competitive advantage of certain market participants. Therefore, the harmonization of the Northwest-European transparency requirements is important to fully profit from regional market integration. Aside from harmonising the various information items, a common- or multi-language publication of these items could be beneficial. Finally, using a common publication medium and a similar publication format might be points of interest as well.

### 6.2 Market transparency in the three countries

DTe, CREG and CRE consider the current level of transparency in the three countries as asymmetrical and not supportive of regional market integration. The three regulators have the opinion that market transparency in the three countries must be harmonised to some extent. It also means that the current level of market transparency shall not be reduced as a result of harmonisation efforts related to market integration.

### 6.3 Questions for consultation

37. What types of information in each of the three countries are currently not available and should be made available to the market? Please indicate:
- a. A precise denomination of the data you want to be released to the market.
  - b. If relevant, the delay after real time (or before, for forecasted information) at which the data should be delivered.
  - c. If relevant, the desired time frames of the data.
  - d. If relevant, the period covered by the data.
  - e. Your preference concerning the disclosure of this information (to the public or only to the market parties concerned?).
  - f. The level of priority of this information.

38. In your view, based on your practical experience in the Dutch, Belgian, French and/or other markets, which examples of market transparency should be taken as a basis for harmonisation efforts?
39. The market information that is currently available is not always easily accessible, different formats are used and the information is published by different entities like TSO's, PX's, regulators and others.
- a. Do you think that access to market information must be improved? If yes, what should be the role of TSO's, PX's, regulators and other entities?
  - b. Should formats be harmonised between the three countries? If yes, what is currently the best example for formatting the different types of information?
  - c. Should definitions and interpretations be harmonised? If not, why? Or, if yes:
    - i. On what topics?
    - ii. What is currently the best example which should be used as a basis to harmonise the different definitions and interpretations?

## 7 Market power and cooperation between regulators

### 7.1 Introduction: market power in integrated electricity markets

Market power is an important characteristic of electricity markets. Anti-competitive behaviour, based on abuse (or even: potential abuse) of this market power, can cause inefficient market outcomes. Because of the fact that today's markets are still relatively small and easy to monitor, an incentive for dominant market participants exists to adopt a reserved attitude, the so-called "regulatory threat".

Theoretically, regional market integration can mitigate the side effects of (potential) market power abuse since the overall market size will be increased and market concentration reduced. In practice, however, regional market integration might also lead to increased (potential of) market power abuse, predominantly for the following reasons:

- National regulators such as DTe, CREG and CRE have only national jurisdiction and their enforcement capacities are therefore geographically limited (as are their capabilities for cross-border cooperation).
- The previous issue becomes even more acute:
  - When there exist some differences in the respective legal enforcement capacities in terms of market monitoring of each national regulator, and;
  - When the legal enforcement capacities in terms of market monitoring, inside the same national jurisdiction, are shared between several different competent institutions.
- Dominant market parties in the Dutch, Belgian and/or French electricity markets might feel less constrained by the subsequently reduced regulatory threat and exert their market power within the larger, regionally integrated market (possibility of cross-border abuse of market power).
- The position of (dominant) market parties in the integrated Dutch, Belgian and/or French electricity markets, controlling a considerable amount of the overall generation capacity and active in more than one market, enabling it (albeit potentially) to influence market outcomes.<sup>16</sup>

### 7.2 Cooperation between regulators

The three regulators agree that it is necessary to implement a framework for effective cross-border cooperation between the regulators. The three regulators agree that it can therefore be essential for regional market integration that:

- Regulators have access to (confidential) information about their own country but also to such information about their neighbouring countries.
- Sufficient regulatory threat necessitates cross-border information gathering, information exchange and regional market monitoring.
- Regulatory authorities should be able to observe, prove and deal with actual abuse of market power even in a regional market.
- International regulatory coordination asks for intensive cooperation and removal of the existing legal hurdles to exchange confidential information between regulatory authorities.

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<sup>16</sup> See also: [http://www.dte.nl/images/12\\_13216\\_tcm7-3768.pdf](http://www.dte.nl/images/12_13216_tcm7-3768.pdf).

### **7.3 Questions for consultation**

40. To what extent do you agree with the above analysis concerning regional market integration and (potential) abuse of market power (paragraph 7.1)?
41. To what extent do you agree with the above analysis concerning the cooperation between regulators in the three countries (paragraph 7.2)?
42. To what extent do you expect the integration of the Dutch, Belgian and French electricity markets to influence the market power of market parties that are already dominant in their incumbent markets?
43. To what extent do you agree that market power mitigation on dominant market parties should be implemented before regional market integration and/or market coupling can be successfully implemented and, if so,
  - a. Why do you agree?
  - b. What type of measure do you propose against what market party or market parties and why?

## 8 Further proceedings

### 8.1 Responses to the consultation document

The answers to this consultation should be sent, preferably in English and no later than Monday 5 September 2005, to the DTe, CREG and/or CRE.

As far as DTe is concerned, interested parties are invited to address its offices (reference P\_300052):

- preferably by e-mail, via [marketintegration@nmanet.nl](mailto:marketintegration@nmanet.nl);
- or, alternatively, contributions may be sent by post to P.O. Box 16326, 2500 BH The Hague, the Netherlands.

As far as CREG is concerned, interested parties are invited to address its offices:

- by post addressed to rue de l'Industrie 26-38 B-1040 Bruxelles or Nijverheidsstraat 26-38 B-1040 Brussel, and/or
- by electronic mail, to [dir.et@creg.be](mailto:dir.et@creg.be).

As far as CRE is concerned, interested parties are invited to address its offices:

- by post addressed to the President of CRE, 2, rue du Quatre Septembre; 75084 Paris Cedex 02; France;
- by electronic mail, to the following address: [com@cre.fr](mailto:com@cre.fr);
- to arrange a meeting with the Commission's services or to ask for an audience with the Commission;
- or by contacting the "Direction de l'accès aux réseaux électriques" (Tel. : (+ 33) 1 44 50 41 02).

### 8.2 Confidentiality of contributions

Unless indicated by contributors as confidential, all contributions may be published by each of the regulators. Requests for confidentiality and/or anonymity of contributions will be considered under applicable Freedom of Information Acts. However, all contributions will be shared among the three regulators.

A joint synthesis of all these contributions to the public consultation will be published by the DTe, CREG and CRE, provided this would not be in breach of applicable Freedom of Information Acts.